

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

Civil Action No. 3:23-cv-01720

KERI ANN FLACCOMIO

Plaintiff

v.

THE RED CHALET LAKE HARMONY c/o
GAYLE TURTZO, GAYLE TURTZO,
BRIAN TURTZO, AND AIR BNB

Defendants

**DEFENDANT AIRBNB'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO
ANSWER, MOVE, OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 6(b) Defendant Airbnb, by and through its undersigned counsel, hereby moves this Honorable Court for an extension of time to answer, move, or otherwise respond to Plaintiff's Complaint and avers in support of the Motion as follows:

1. Plaintiff filed a Complaint in this case on September 20, 2023.
2. Defendant Airbnb was served the Complaint on October 3, 2023.
3. Thereafter, national counsel for Airbnb and Plaintiff agreed to a three-week extension of time to respond to the complaint to and including November 13, 2023, so the parties could have an opportunity to confer.
4. Airbnb believes it is in the Court's and parties' best interests to confer prior to engaging in potentially unnecessary motion practice, including a potential motion to compel arbitration and motion dismiss for lack of personal jurisdiction and for failure to state a claim.
5. Airbnb does not seek this request in bad faith or for any improper purpose.

6. Granting this Motion will not result in any prejudice to the Plaintiff or unduly delay the disposition of this case.

WHEREFORE, Defendant Airbnb respectfully requests that this Court extend the deadline to answer, move or otherwise respond to the Complaint to November 13, 2023.

Respectfully submitted,

/s/ **Kelly J. Fox**

KELLY J. FOX, ESQ.

Attorney I.D. No. 80273

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Attorneys for Defendant Airbnb, Inc.

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CERTIFICATION OF CONCURRENCE

I, Kelly J. Fox, Esquire, hereby certify that representatives from Airbnb sought concurrence from Plaintiff's counsel in the foregoing Motion and that Plaintiff concurred with the requested relief via email.

/s/ Kelly J. Fox

KELLY J. FOX, ESQ.

Attorney I.D. No. 80273

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion has been served on all parties this 24th day of October, 2023 via efilng notification.

/s/ Kelly J. Fox

KELLY J. FOX, ESQ.

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ORDER

UPON CONSIDERATION of Defendant Airbnb's Unopposed Motion for Extension of Time to Answer, Move or Otherwise Respond to the Plaintiff's Complaint, it is HEREBY ORDERED that the Motion is GRANTED. Defendant Airbnb shall have to November 13, 2023 to Answer, Move or Otherwise Respond to Plaintiff's Complaint.

MALACHY E. MANNION, J.